

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CV255-1-MU

JACK MOORE,

Petitioner,

v.

SIDNEY HARKLEROAD,

Respondent.

ORDER

THIS MATTER comes before the Court upon Petitioner's Motion to Restrain Department of Correction (Doc. No.57), filed February 10, 2009; and Petitioner's "Second Motion to Investigate Dishonesty in the Office of Judge Graham Mullen," (Doc. No. 59), filed February 17, 2009.

On August 22, 2006, Petitioner filed a petition for writ of habeas corpus with this Court. On January 17, 2007, this Court dismissed Petitioner's habeas petition. On July 20, 2007, the United States Court of Appeals for the Fourth Circuit dismissed Petitioner's appeal.

Petitioner asks this Court to issue an order restraining the North Carolina Department of corrections from restricting his legal materials. Such relief is not available in a federal habeas case. Moreover, his case is closed and has been for some time. Petitioner's motion is denied.

Most recently, Petitioner has filed another motion alleging dishonesty in the undersigned's office. Such a motion is meritless and is again denied.

THEREFORE, IT IS HEREBY ORDERED that:

1. Petitioner's Motion to Restrain Department of Correction (Doc. No. 57) is **DENIED**;

and

2. Petitioner's "Motion to Investigate Dishonesty in the Office of Judge Graham Mullen," (Doc. No. 57) is **DENIED**.

Signed: February 23, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

